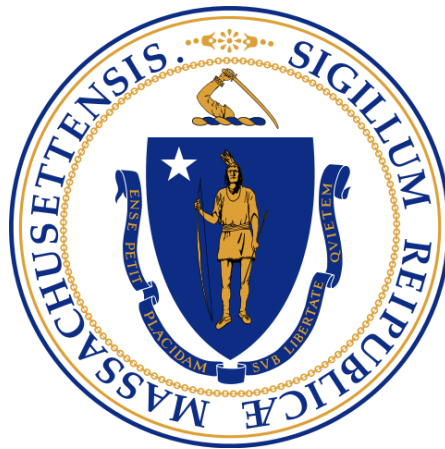


# Civil Service Commission

The Executive Office for Administration and Finance  
Commonwealth of Massachusetts



Performance Report  
Calendar Year 2014

Christopher C. Bowman  
Chairman

## Introductory Letter from the Chairman

The Civil Service Commission is a quasi-judicial agency charged with ensuring that public employees, and those seeking appointment as public employees, receive fair and impartial treatment. Appeals received by the Commission generally regard appointments, promotions, disciplinary matters, examinations and requests for reclassification.

Through the first 8 months of calendar year 2014, the Commission received 177 such appeals and closed out 198, reducing the number of pending appeals from 148 last year to 135 as of August 31, 2014. The number of appeals pending for more than 12 months also decreased from 42 to 18 over the same time period. Through August 31, 2014, 50% of all appeals filed with the Commission were disposed of within 4 months and 87% of all appeals were disposed of within 12 months.

To put these numbers in context, the Commission had over 800 pending appeals at the end of CY06, including 550 appeals that were pending for more than 12 months.

As these numbers show, we continue to make progress regarding our commitment to provide our customers with a fair, convenient and timely appeals process. With these goals in mind in CY14, the Commission has:

- Conducted dozens of hearings at off-site locations including Springfield, Worcester, West Bridgewater, North Dartmouth and several other communities to reduce the cost and inconvenience associated with hearings in downtown Boston;
- Continued to introduce more user-friendly appeal forms that can be filled out online and then printed;
- Continued to conduct in-person pre-hearings with a member of the Commission within 30 days of the appeal filing date.

We will continue looking for creative ways to provide our customers with the high-quality of service they have come to expect from the Commission.

Christopher C. Bowman  
Chairman, Civil Service Commission

**As an organization affiliated with the Executive Office of Administration and Finance (A&F), the Civil Service Commission's goals reflect and bolster the commitments of A&F to bring about Better Finance, Better Health Care, Better Performance and Better Government.**

**This report was developed pursuant to Executive Order 540, Governor Patrick's directive to embed strategic planning and performance management across state government. The Civil Service Commission's CY14 Performance Report describes progress achieved against the goals set out in its 2013-2015 Strategic Plan.**

Please send feedback  
regarding this report to:

[Christopher.Bowman@state.ma.us](mailto:Christopher.Bowman@state.ma.us)

### **Goal 1: Process all appeals in an efficient and timely manner in locations convenient to all parties.**

Through August 31, 2014, the Commission reduced the number of pending appeals from 148 to 135 and disposed of 87% of appeals within 12 months. Although that falls short of our ambitious target of 95%, it is an improvement from the 85% mark reached as of December 31, 2013.

We met or exceeded our ambitious goals to: conduct 95% of Western Massachusetts and Southeastern Massachusetts appeals at hearing locations in those regions; hold 95% of pre-hearings within 30 days of the filing of the appeal; and provide all parties with a CD of their digitally-recorded hearing within 2 business days of the hearing.

### **Goal 2: Provide all parties with an accessible, transparent and predictable decision-making process.**

We met or exceeded our targets related to posting all decisions online and posting hearing dockets online for the following week no later than the close of business each Thursday.

Although we increased the number of people on our agency email distribution list, we fell just short of the goal of expanding that list by 5% annually.

### **Goal 3: Provide parties with a fair, impartial hearing process and render decisions with an unprejudiced mind, guided by common sense and the correct rules of law.**

We take this commitment seriously – every day – and we hold ourselves publicly accountable on this front. Not only do we post every Commission decision online, we also post every related Court decision online, indicating whether our decision was affirmed, overturned or remanded for further review. We also take the additional step of providing, online, a cross-reference of these decisions with the individual Commissioner who rendered the Commission decision. Finally, we have set highly ambitious targets related to the percentage of Commission decisions that “stand” and the percentage of decisions that are appealed to court and affirmed – and we update our progress on meeting these targets on a monthly basis.










An accurate assessment of these targets requires looking back two prior calendar years, as most of the Court proceedings related to CY14 Commission decisions are still ongoing.

In CY12, 96% of all Commission decisions “stood” as they were not appealed and/or overturned. In CY13, 98% of all Commission decisions stood.



Of those Commission decisions subject to judicial review in CY12 56% were affirmed. 78% of CY13 Commission decisions subject to judicial review were affirmed, a significant improvement.




## Performance Dashboard

### Process all appeals in an efficient and timely manner at locations convenient to all parties



Measures	Prior Period	Previous Period	Current Period	Trend	Target	Status	Comments
Number of open appeals pending before Commission	179	148	135	Stable	125		Data compares CY 12, CY13 and CY 14 (through 8/31/14). The target represents 50% of the total number of appeals received for the prior calendar year.
Percentage of all appeals disposed of within 4 months	50%	49%	50%	Stable	25%		Data compares CY 12, CY13 and CY 14 (through 8/31/14).
Percentage of all appeals disposed of within 6 months	69%	65%	67%	Stable	50%		Data compares CY 12, CY13 and CY 14 (through 8/31/14).
Percentage of all appeals disposed of within 9 months	82%	78%	79%	Stable	75%		Data compares CY 12, CY13 and CY 14 (through 8/31/14).
Percentage of all appeals disposed of within 12 months	92%	85%	87%	Stable	95%		Data compares CY 12, CY13 and CY 14 (through 8/31/14).
Percentage of appeals from Western Massachusetts heard at a location in that region	100%	100%	100%	Stable	95%		Data compares CY 12, CY13 and CY 14 (through 8/31/14).
Percentage of appeals from designated Southeastern MA communities heard at a location in that region	97%	100%	100%	Stable	95%		Data compares CY 12, CY13 and CY 14 (through 8/31/14).
Percentage of digital recordings of hearings uploaded and burned CD sent to parties within 2 business days	100%	100%	99%	Stable	95%		Data compares CY 12, CY13 and CY 14 (through 8/31/14).
Percentage of pre-hearings conducted within 30 days of appeal file date	94%	97%	97%	Stable	95%		Data compares CY 12, CY13 and CY 14 (through 8/31/14).




### Provide all parties with an accessible, transparent and predictable decision-making process

Measures	Prior Period	Previous Period	Current Period	Trend	Target	Status	Comments
Percentage of weekly hearing dockets posted on CSC website no later than the close of business the preceding Thursday	99%	100%	100%	Stable	100%		Data compares CY 12, CY13 and CY 14 (through 8/31/14).
Number of recipients on CSC email distribution list	205	403	415	Stable	Increase 5% per year		Data compares CY 12, CY13 and CY 14 (through 8/31/14).

<b>STATUS LEGEND</b>		=> Target		=> 75% to <99%		< 75% of Target	NA	Not Applicable
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**Provide all parties with a fair, impartial hearing and render decisions with an unprejudiced mind,  
guided by common sense and the correct rules of law**

Measures	Prior Period	Previous Period	Current Period	Trend	Target	Status	Comments
Percentage of survey respondents who are satisfied with the way their appeal was processed	NA	NA	NA	NA	NA	NA	CSC has not yet developed a customer service survey.
Of those CSC decisions that are appealed to court, percentage affirmed by the court	82%	56%	78%	Stable	80%		Data compares judicial appeals related to Commission decisions issued in CY 11, CY 12 and CY 13.
Percentage of the total CSC decisions issued that have "stood" (not appealed and/or overturned)	98%	96%	98%	Stable	95%		Data compares judicial appeals related to Commission decisions issued in CY 11, CY 12 and CY 13.
Total Commission decisions issued	116	117	122	NA	NA	NA	Data compares CY 11, CY 12 and CY 13.

<b>STATUS LEGEND</b>		<b>=&gt; Target</b>		<b>=&gt; 75% to &lt;99%</b>		<b>&lt; 75% of Target</b>	<b>NA</b>	<b>Not Applicable</b>
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## Looking Forward

Looking forward, we plan on continuing our commitment to making the appeal process faster, more accessible and less costly through the following steps:

### **1. Resolving more appeals upfront, at a pre-hearing conference, within 30 days of receiving an individual's appeal.**

Approximately 50% of appeals are now resolved without the need for a full hearing. By meeting with the parties *early* and providing them with an initial assessment of the case, we are now able to resolve many appeals quickly, saving all parties significant time and money associated with a full evidentiary hearing.

Going forward, we'll be looking at ways to build on this success and encourage *all* parties to use the pre-hearing as a way to avoid a sometimes costly and time-consuming full hearing process.

### **2. Updating our website to provide helpful resources that are easy for all parties, including those representing themselves, to understand.**

The Commission is one of the most transparent agencies in state government. We post *all* substantive decisions online, in addition to our weekly hearing dockets, monthly statistics and a detailed summary of those decisions that have been subject to judicial review.

Going forward, we're going to look at revamping the website to make sure that the large amount of information is organized in a way that is useful and understandable, even to those unfamiliar with the civil service appeals process.

### **3. Conducting more off-site hearings and exploring remote participation.**

By conducting off-site hearings on a regular basis (at least twice-monthly) in both Springfield and North Dartmouth, we save parties tens of thousands of dollars annually in reduced legal fees and overtime costs associated with employees required to testify at hearings.

Going forward, we'll be working to establish a regular hearing location on the North Shore in addition to conducting more hearings at various City Halls and other locations. Further, we'll be exploring an expansion of our now-limited use of remote participation by witnesses via videoconferencing.

## Measure Descriptions

GOAL	MEASURE	DESCRIPTION
<b>Process all appeals in an efficient and timely manner at locations convenient to all parties</b>	Number of open appeals pending before Commission	This measure tracks the number of open appeals pending before the Commission. It should not exceed the equivalent of 6 months' inventory at any point during the fiscal year.
	Percentage of all appeals disposed of within 4 months	This measure tracks the amount of time it takes CSC to dispose of appeals. Targets are: 25% of new appeals should be disposed of within 4 months, 50% within 6 months, 75% within 9 months, and 95% within 12 months.
	Percentage of all appeals disposed of within 6 months	This measure tracks the amount of time it takes CSC to dispose of appeals. Targets are: 25% of new appeals should be disposed of within 4 months, 50% within 6 months, 75% within 9 months, and 95% within 12 months.
	Percentage of all appeals disposed of within 9 months	This measure tracks the amount of time it takes CSC to dispose of appeals. Targets are: 25% of new appeals should be disposed of within 4 months, 50% within 6 months, 75% within 9 months, and 95% within 12 months.
	Percentage of all appeals disposed of within 12 months	This measure tracks the amount of time it takes CSC to dispose of appeals. Targets are: 25% of new appeals should be disposed of within 4 months, 50% within 6 months, 75% within 9 months, and 95% within 12 months.
	Percentage of appeals from Western Massachusetts heard at a location in that region	This measure tracks the number of appeals held at remote locations for the convenience of parties. 95% of such appeals should be heard at a location in Western Massachusetts.
	Percentage of appeals from designated Southeastern MA communities heard at a location in that region	This measure tracks the number of appeals held at remote locations for the convenience of parties. 95% of such appeals should be heard at a location in Southeastern Massachusetts.
	Percentage of digital recordings of hearings uploaded and burned CD sent to parties within 2 business days	This measure tracks the percent of digital recordings of hearings uploaded to a shared directory and burned to CDs for mailing to parties within 2 business days
	Percentage of pre-hearings conducted within 30 days of appeal file date	This measure tracks the percent of pre-hearings conducted within 30 days of appeal being filed, except if there is a mutual request for a one- time continuance.

GOAL	MEASURE	DESCRIPTION
<b>Provide all parties with an accessible, transparent and predictable decision-making process</b>	Percentage of weekly hearing dockets posted on CSC website no later than the close of business the preceding Thursday	This measure tracks the percentage of weekly hearing dockets posted on the CSC website no later than the close of business the preceding Thursday.
	Number of recipients on CSC email distribution list	This measure tracks the number of recipients on the CSC email distribution list. CSC regularly sends Commission statistics via email to a distribution list the goal is to increase the size of the list from 200 to 400 recipients.
<b>Provide all parties with a fair, impartial hearing and render decisions with an unprejudiced mind, guided by common sense and the correct rules of law</b>	Percentage of survey respondents who are satisfied with the way their appeal was processed	This measure tracks the percent of CSC survey respondents who are satisfied with the way their appeal was processed. CSC is working to develop a customer feedback mechanism that allows parties to anonymously provide feedback regarding how their appeal was processed.
	Of those CSC decisions that are appealed to court, percentage affirmed by the court	This measure tracks the percent of appealed CSC decisions that are overturned by a court.
	Percentage of the total CSC decisions issued that have "stood" (not appealed and/or overturned)	This measure tracks the number of all CSC decisions not appealed, or upheld by the court in a given year divided by the total number of decisions issued by the Commission in that same year.
	Total Commission decisions issued	This measure tracks all substantive Civil Service Commission decisions issued and does not include dispositions related to voluntary withdrawals, lack of prosecution and/or bypass/other appeals where the decision was granted in mutual agreement of the parties.



## Noteworthy Changes, Additions or Deletions

No noteworthy changes, additions or deletions.